S.B.CRIMINAL MISC. BAIL APPLICATION NO.2778/06

Date : 10.07.2006

HON'BLE MR. SATYA PRAKASH PATHAK, J.

Mr. O.P. Joshi for the applicant.
Mr. Vishnu Kachhawaha, Public Prosecutor for State.

I have heard learned counsel for the applicant as well as the learned Public Prosecutor for the State and carefully gone through the impugned order.

The contention of learned counsel for the applicant is that in the instant case it is alleged that the applicant was selling English Wine without having license. He submits that infact the applicant was not at the shop when the raid was conducted. He submits that the alleged bottles of illicit liquor have already been recovered and now no investigation remains to be made. In last, he prays that a direction may be issued that when the applicant surrenders before the Investigating Officer, he may be produced before the Magistrate and he may be heard on the bail application on the very same day.

On the other hand, learned Public Prosecutor has opposed the bail application.

After hearing learned counsel for the parties, I deem it proper to pass following order :

The applicant shall surrender before the Investigating Officer in FIR No.11/2006, Excise Department Police Station Merta City and thereafter the Investigating Officer shall produce him before the concerned Magistrate and the Magistrate, in case application is moved for bail, shall decide the same in accordance with law on the very same day.

In view of above observation, the bail application stands disposed of

(SATYA PRAKASH PATHAK), J.